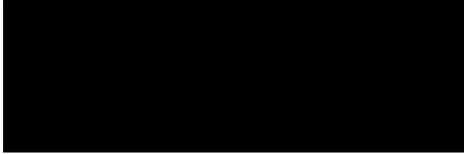


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prevent clearly unwarranted
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and Immigration
Services

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FILE:



Office: Nebraska Service Center

Date: JUL 20 2005

IN RE:

Applicant:



APPLICATION:

Application for Waiver of Inadmissibility pursuant to Section 245A of the
Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

ON BEHALF OF APPLICANT:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned
to the office that originally decided your case.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application for waiver of inadmissibility within the legalization program is before the Administrative Appeals Office. The matter will be remanded.

The Director, Nebraska Service Center granted a motion to reopen a temporary residence (legalization) application that was recently filed by the applicant pursuant to a class action lawsuit entitled *Proyecto San Pablo v. INS*, No. Civ 89-456-TUC-WDB (D. Ariz.). Counsel belatedly filed this relating waiver application at the Phoenix District Office. It has been sent to this appellate body without adjudication by the Director, Nebraska Service Center. Therefore, it shall be remanded to that director for adjudication within the *Proyecto* guidelines. The director shall certify his decision, and it will then be considered by this office along with the temporary residence application.

ORDER: The matter is remanded for action consistent with the above.